

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

| | | |
|------------------------------|---|-------------------------|
| In re: | § | |
| | § | Case No. 22-31641-mvl-7 |
| GOODMAN NETWORKS, INC., | § | |
| | § | (Chapter 7) |
| Debtor. | § | |
| <hr/> | | |
| SCOTT M. SEIDEL, TRUSTEE, | § | |
| | § | |
| Plaintiff, | § | ADVERSARY PROCEEDING |
| | § | NO: 24-03039-mvl |
| v. | § | |
| | § | |
| JAMES FRINZI; JAMES GOODMAN; | § | |
| JASON GOODMAN; and JOSEPH | § | |
| GOODMAN, | § | |
| | § | |
| Defendants. | § | |
| | § | |
| | § | |

STIPULATION AND AGREED ORDER
DISMISSING JAMES FRINZI WITH PREJUDICE

I. STIPULATION

Scott M. Seidel, Trustee (the “Trustee”), the trustee of Goodman Networks, Inc., the debtor in the above styled and numbered chapter 7 bankruptcy case (the “Bankruptcy Case”) the Plaintiff in this Adversary Proceeding, hereby stipulates and agrees as follows with defendant James Frinzi (“Frinzi”):

1. On December 4, 2024, the Court entered its *Order Approving Trustee’s Compromise and Settlement with James Frinzi* [Bankruptcy Case docket no. 633] by which the Court, among other things, approved that certain *Mutual Settlement and Release Agreement* by and between the Trustee and Frinzi.

2. Said order has not been appealed and is final and non-appealable.

3. Said settlement agreement has been funded in full and, therefore, the “Effective Date” thereof occurred on December 31, 2024.

4. Said settlement agreement releases all claims and causes of action of the Trustee against Frinzi and requires that the parties act jointly to dismiss Frinzi from this Adversary Proceeding with prejudice.

5. Accordingly, the Trustee and Frinzi hereby agree that Frinzi is dismissed with prejudice from this Adversary Proceeding, with each of the Trustee and Frinzi bearing their respective attorney’s fees and expenses incurred herein.

II. ORDER

The Court, having reviewed the above Stipulation, and incorporating its definitions into this Order, and otherwise being familiar with the Bankruptcy Case and this Adversary Proceeding insofar as the facts of said Stipulation are concerned, and finding that no further notice of said Stipulation or this Order is required, it is hereby:

ORDERED that the Stipulation is APPROVED; it is further

ORDERED that Frinzi is DISMISSED WITH PREJUDICE from this Adversary Proceeding; it is further

ORDERED that each of the Trustee and Frinzi shall bear their respective attorney’s fees and expenses incurred herein; it is further

ORDERED that, for the avoidance of doubt, this dismissal and this Order in no way prejudice any claim or cause of action of the Trustee against any other defendant or any defense thereto, including by way of credit or proportional liability, and nothing in this Order prejudices or affects any right, claim, crossclaim, defense, or other issue, whether asserted or not, that may exist between any such other defendant and Frinzi; it is further

ORDERED that, for the avoidance of doubt, and notwithstanding the dismissal of Frinzi herein, the Court shall retain jurisdiction to the maximum extent possible over Frinzi regarding any other matter in the Bankruptcy Case or this Adversary Proceeding, including to enforce the parties' settlement agreement and to issue and enforce any discovery or subpoena.

END OF ORDER

AGREED:

| | |
|---|---|
| MUNSCH HARDT KOPF & HARR, P.C. By: <u>/s/ Davor Rukavina</u> Davor Rukavina, Esq. Texas Bar No. 24030781 Thomas D. Berghman, Esq. Texas Bar No. 24082683 4000 Ross Tower 500 N. Akard Street Dallas, Texas 75201-6659 Telephone: (214) 855-7500 Facsimile: (214) 855-7584 Email: drukavina@munsch.com COUNSEL FOR THE PLAINTIFF | WICK PHILLIPS GOULD & MARTIN, LLP By: <u>/s/ Paul T. Elkins (w/ permission)</u> Jason M. Rudd, Esq. Tex. Bar No. 24028786 Paul T. Elkins, Esq. Tex. Bar No. 24092383 3131 McKinney Avenue, Suite 500 Dallas, TX 75204 Phone: (214) 692-6200 Fax: (214) 692-6255 Email: jason.rudd@wickphillips.com paul.elkins@wickphillips.com COUNSEL FOR DEFENDANT JAMES FRINZI |
|---|---|